§17. Duties of State Court Administrator

The State Court Administrator, subject to the supervision and direction of the Chief Justice of the Supreme Judicial Court, is responsible for administration and management of the court system. The State Court Administrator shall: [PL 1993, c. 675, Pt. C, §2 (AMD).]

1. Continuous survey and study. Carry on a continuous survey and study of the organization, operation, condition of business, practice and procedure of the Judicial Department. The State Court Administrator shall make recommendations to the Chief Justice to improve administration and management of the court system, including recommendations concerning the number of judges and other judicial personnel required for the efficient administration of justice;
[PL 1993, c. 675, Pt. C, §3 (AMD).]

1-A. Long-range planning. Develop and recommend to the Chief Justice long-range plans for the Judicial Department and operations of the courts;
[PL 1993, c. 675, Pt. C, §4 (NEW).]

2. Examine the status of dockets. Examine the status of dockets of all courts so as to determine cases and other judicial business that have been unduly delayed. From such reports, the administrator shall indicate which courts are in need of additional judicial personnel and make recommendations to the Chief Justice, to the Chief Justice of the Superior Court and to the Chief Judge of the District Court concerning the assignment or reassignment of personnel to courts that are in need of such personnel. The administrator shall also carry out the directives of the Chief Justice as to the assignment of personnel in these instances;
[PL 1983, c. 269, §§1, 9 (AMD).]

3. Investigate complaints. Investigate complaints with respect to the operation of the courts and relating to court and judicial security. Notwithstanding any other provision of law, complaints and investigative files that relate to court and judicial security are confidential. Nothing in this section precludes dissemination of such information to another criminal justice agency;
[PL 2007, c. 597, §2 (AMD).]

4. Examine statistical systems. Examine the statistical systems of the courts and make recommendations for a uniform system of judicial statistics. The administrator shall also collect and analyze statistical and other data relating to the business of the courts;
[PL 1975, c. 408, §5-A (NEW).]

5. Prescribe uniform administrative and business methods, etc. Prescribe uniform administrative and business methods, systems, forms, docketing and records to be used in the Supreme Judicial Court, in the Superior Court and in the District Court;
[PL 1983, c. 269, §§2, 9 (AMD).]

6. Implement standards and policies set by the Chief Justice. Implement standards and policies set by the Chief Justice regarding hours of court, the assignment of term parts and justices;
[PL 1977, c. 544, §3 (AMD).]

7. Act as supervisor of fiscal unit. Act as supervisor of the fiscal unit of the Administrative Office of the Courts and in so doing ensure that the fiscal unit:

A. Maintains fiscal controls and accounts of funds appropriated for the Judicial Department; [PL 1995, c. 560, Pt. I, §1 (AMD).]

B. Prepares all requisitions for the payment of state money appropriated for the maintenance and operation of the Judicial Department; [PL 1995, c. 560, Pt. I, §1 (AMD).]

C. Prepares budget estimates and submissions of state appropriations necessary for the maintenance and operation of the Judicial Department and makes appropriate recommendations; [PL 1995, c. 560, Pt. I, §1 (AMD).]

D. Collects statistical and other data and makes reports to the Chief Justice, to the Chief Justice of the Superior Court and to the Chief Judge of the District Court relating to the expenditures of public money for the maintenance and operation of the Judicial Department; [PL 1997, c. 24, Pt. II, §1 (AMD).]

E. Develops and implements a uniform set of accounting and budgetary accounts, based on generally accepted fiscal and accounting procedures, for the Supreme Judicial Court, for the Superior Court and for the District Court; and [PL 1997, c. 24, Pt. II, §1 (AMD).]

F. Periodically studies the feasibility of continuing any agreement with the State Tax Assessor by which the Department of Administrative and Financial Services, Bureau of Revenue Services performs revenue-collecting services for the Judicial Department and, if it is determined that this would be in the best interests of the State, continues such an agreement. [RR 2011, c. 1, §2 (COR).]

[RR 2011, c. 1, §2 (COR).]

8. Examine arrangements for use and maintenance of court facilities. Examine the arrangements for the use and maintenance of court facilities and supervise the purchase, distribution, exchange and transfer of judicial equipment and supplies thereof;

[PL 1975, c. 408, §5-A (NEW).]

9. Act as secretary. Act as secretary to the Judicial Conference;

[PL 1975, c. 408, §5-A (NEW).]

10. Submit an annual report. Submit an annual report to the Chief Justice, Legislature and Governor of the activities and accomplishments of the office for the preceding calendar year;

[PL 1975, c. 408, §5-A (NEW).]

11. Maintain liaison. Maintain liaison with the executive and the legislative branches and other public and private agencies whose activities impact the Judicial Department;

[PL 1975, c. 408, §5-A (NEW).]

12. Prepare and plan clerical offices. Prepare and plan for the organization and operation of clerical offices serving the Superior Court and the District Court;

[PL 1983, c. 269, §§4, 9 (AMD).]

13. Implement preservice and inservice educational and training programs. Develop and implement preservice and inservice educational and training programs for nonjudicial personnel of the Judicial Department;

[PL 1987, c. 137, §1 (AMD).]

14. Perform duties and attend other matters. Perform other duties and attend to other matters consistent with the powers delegated to the State Court Administrator by the Chief Justice and the Supreme Judicial Court;

[PL 1991, c. 622, Pt. L, §4 (AMD).]

15. Provide for court security. Plan and implement arrangements for safe and secure court premises to ensure the orderly conduct of judicial proceedings.

A. The State Court Administrator may contract for the services of qualified individuals as needed on a per diem basis to perform court security-related functions and services.

(1) For the purposes of this subsection, "qualified individuals" means municipal law enforcement officers, deputy sheriffs and other individuals who are certified pursuant to Title 25, section 2804-B or 2804-C and have successfully completed additional training in court security provided by the Maine Criminal Justice Academy or equivalent training.

(2) When under contract pursuant to this paragraph and then only for the assignment specifically contracted for, qualified individuals have the same duties and powers throughout the counties of the State as sheriffs have in their respective counties.

(3) Qualified municipal law enforcement officers and deputy sheriffs performing contractual services pursuant to this paragraph continue to be employees of the municipalities and counties in which they are employed.

(4) Qualified individuals other than municipal law enforcement officers or deputy sheriffs performing contractual services pursuant to this paragraph may not be considered employees of the State for any purpose, except that they must be treated as employees of the State for purposes of the Maine Tort Claims Act and the Maine Workers' Compensation Act of 1992. They must be paid reasonable per diem fees plus reimbursement of actual, necessary and reasonable expenses incurred in the performance of their duties, consistent with policies established by the State Court Administrator. [PL 2011, c. 380, Pt. TT, §1 (AMD).]

B. The State Court Administrator may employ other qualified individuals to perform court security-related functions and services as court security officers.

(1) Court security officers employed under this paragraph must be certified pursuant to Title 25, section 2803-A, subsection 8-B.

(2) When on assignment for court security functions, court security officers have the same powers and duties throughout the counties of the State as sheriffs have in their respective counties.

(3) Court security officers employed under this paragraph are state employees for all purposes. [PL 2003, c. 400, §1 (NEW).]

C. Notwithstanding any other provision of law, the plans, arrangements and files involving court security matters are confidential. Nothing in this section precludes dissemination of that information to another criminal justice agency; [PL 2003, c. 400, §1 (NEW).]

[PL 2011, c. 380, Pt. TT, §1 (AMD).]

16. Report on out-of-state travel. Submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Judicial Department. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip;

[PL 2021, c. 684, §1 (AMD).]

17. Statement of fiscal effect on judicial system. Apply the following requirements when the State Court Administrator prepares statements pertaining to the impact that executive orders and proposed legislation have upon judicial system resources, including the cost or savings to the judicial system. The State Court Administrator, in preparing such impact statements, shall make inquiry of the Chief Justice of the Superior Court, the Chief Judge of the District Court, a statewide association of prosecuting attorneys, a statewide association of criminal defense attorneys, a statewide association of trial attorneys and any other parties, as appropriate, in order to provide the most accurate estimate of the judicial branch impact of such legislation, by fiscal year.

A. The State Court Administrator shall furnish the statements to the legislative staff office designated to collect and assemble fiscal information for use of legislative committees under Title 3, section 163-A, subsection 10 and to:

(1) The Governor for judicial impact statements on executive orders; and

(2) The appropriate committee of the Legislature for the information of its members for proposed legislation. [PL 1993, c. 675, Pt. C, §9 (NEW).]

B. The statement on a particular executive order prepared by the State Court Administrator must be included in the executive order if the executive order has a fiscal impact on the judicial system, as determined by the State Court Administrator. [PL 1993, c. 675, Pt. C, §9 (NEW).]

C. The statement on proposed legislation prepared by the State Court Administrator must be considered in the preparation of the fiscal note included in a committee amendment or other amendment if the legislation or amendment has a fiscal impact on the judicial system, as determined by the State Court Administrator; and [PL 2021, c. 684, §2 (AMD).]

[PL 2021, c. 684, §2 (AMD).]

18. Statewide electronic warrant system. Establish a secure system for the application, issuance and return of arrest warrants and search warrants that is electronic and that provides access to authorized users statewide.

A. For the purposes of this subsection, "electronic signature" means an electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document, including but not limited to an electronic representation of an actual handwritten signature that is captured at the time of signature by the person or is digitally reproduced from a previously saved signature. [PL 2021, c. 684, §3 (NEW).]

B. The statewide electronic warrant system established pursuant to this subsection must:

(1) Provide for personal appearance and authorization by means of telecommunication or electronic communication;

(2) Provide for secure access for authorized users, at varying levels of authorization, and guard the integrity of an application and all information and documents related to the application;

(3) Provide for submission of information and evidence to support the application in electronic form;

(4) Require a showing of probable cause based on oath or affirmation. An oath or affirmation may be provided in electronic format;

(5) Provide for use of an electronic signature by the applicant;

(6) Provide a method for the issuing official to disapprove, approve or approve with modifications the application, the means for using an electronic signature by the issuing official and a mechanism for electronic issuance;

(7) Provide a mechanism for the applicant to obtain the issued arrest warrant or search warrant and a mechanism for return by the applicant when the warrant has been executed or, if the warrant was not served within the time period stated in the warrant, a mechanism to return the warrant unserved; and

(8) Provide a mechanism for the retention of all information submitted to or communicated by or within the system. [PL 2021, c. 684, §3 (NEW).]

[PL 2021, c. 684, §3 (NEW).]

SECTION HISTORY

PL 1975, c. 408, §§5-A (NEW). PL 1977, c. 544, §§1-6 (AMD). PL 1983, c. 269, §§1-4,9 (AMD). PL 1987, c. 137, §§1-3 (AMD). PL 1987, c. 776, §§1,2 (AMD). PL 1989, c. 324 (AMD). PL 1991, c. 570, §1 (AMD). PL 1991, c. 622, §§L4-6 (AMD). PL 1991, c. 885, §E3 (AMD). PL 1991, c. 885, §E47 (AFF). PL 1993, c. 675, §§C2-9 (AMD). PL 1995, c. 560, §I1 (AMD). PL 1997, c. 24, §§II1,2 (AMD). PL 2003, c. 400, §1 (AMD). PL 2007, c. 240, Pt. YYY, §1 (AMD). PL 2007, c. 597, §2 (AMD). PL 2011, c. 380, Pt. TT, §1 (AMD). RR 2011, c. 1, §2 (COR). PL 2021, c. 684, §§1-3 (AMD).

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